



Comments on Coyote Valley Specific Plan Draft EIR

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**CITY OF SAN JOSE
DEVELOPMENT SERVICES**

The Friends of the Coyote Valley Greenbelt (FROG) submits the following comments on the adequacy and accuracy of the Draft Environmental Impact Report.

1. The document correctly identifies the "loss of approximately 2,400 acres of prime farmland, farmland of local and state importance, and unique farmland" as a significant impact (Impact LU-10).¹ FROG's concern is with mitigation that provides for viable agriculture in the remainder of the Coyote Valley, the designated Greenbelt. This area should be designated as the first priority for mitigation, followed by lands beyond the city's Sphere of Influence in South Santa Clara County to provide additional acres to meet the requirement. Additionally, we strongly support inclusion of language recognizing the worth of mitigation actions and programs that enhance agricultural viability in the Greenbelt, even though such expenditures could result in less mitigation acreage overall. The discussion of the agricultural mitigation program at the top of page 116 should include viability measures as part of the potential mitigation program.
2. FROG requests the inclusion of a discussion of the LESA model for determining the necessity for mitigation, and the inadequacies of using that as the sole determinant for requiring mitigation. The importance of using many types of maps to provide the best assurance that all appropriate lands are included should be part of the discussion.
3. The discussion of the barriers to successful agriculture in the Greenbelt (pp. 113 - 114) is unnecessarily negative and should be balanced by discussion of the following points:
 - While the type of agriculture practiced in the area in the past is of questionable viability, the area could be suitable for urban edge agriculture as practiced elsewhere in California and other parts of the country.
 - Urban edge agriculture is consistent with the pattern of parcel lines and smaller properties typical of the Coyote Greenbelt.

4. The first of the three conditions for qualification as lands suitable for mitigation on page 115 should be expanded to include lands that have been historically mapped as agriculture. Mitigation will be occurring over decades, and this addition is necessary to prevent deliberate disqualification of property by cessation of agricultural activity which results in removal from the state maps. (Question: have any historically farmed acres in the developing area been removed from the acreage requiring mitigation because they have been fallow for long periods, resulting in removal from the maps? If so, the same comments would apply to such lands.)

5. Because the City is not committing to mitigate the loss of agricultural land to less than a significant level (by creating new farmland), the EIR needs to be more explicit in committing the City to the maximum feasible mitigation, even though this will not reduce the impact to less than a significant level. As presented, the Draft EIR could lead a reader to assume that there is no commitment to any level of mitigation. Two places where more explicit language would be appropriate are:

- In the first paragraph of the section titled "Protection of Existing Farmlands." This weakly suggests that contributions to preventing conversion of vulnerable farmlands (like those in the Greenbelt) "can be taken into account when a Lead Agency adopts a statement of overriding considerations." ²
- In the Conclusions language in Impact LU-10 on page 117 which leaves the impression that the choice is between feasible mitigation to the point of no significant impact or no mitigation at all as part of a statement of overriding considerations.

6. The paragraph at the top of page 116 implies that the primary means of mitigation will be individual mitigation – arranged by each applicant for each annexation and/or development. The concept of an agricultural mitigation program is presented as an alternative. Much of the discussion during the CVSP project has centered on the impracticality and the problems associated with individual mitigation. Therefore, the Draft EIR should be more explicit that participation in an agricultural mitigation program is the primary means of mitigation to be considered, with individual mitigation as the alternative. Should the presented order be for legal reasons, then the language should identify the mitigation program as a preferred alternative.

7. The Draft EIR should be clear and unambiguous that an agricultural mitigation program means a commitment of funds to support the purchase and management of lands in fee title or agricultural easements and programs necessary for the viability of agriculture in the Greenbelt. This is again a reference to the top paragraph of page 116.

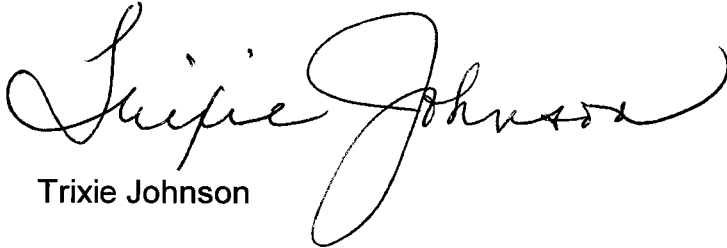
8. While FROG focuses on the agricultural potential of the Greenbelt, we also recognize its importance as a source of recreation, wildlife habitat, flood protection, underground water storage recharge, and other non-agricultural roles. We have not commented on these in

specific terms, but the Draft EIR should indeed recognize the importance of this portion of the Coyote Valley for its many contributions.

9. Should any active recreation be included in the Greenbelt, the Draft EIR should discuss necessary mitigation to reduce impacts on neighboring farms.

FROG appreciates this opportunity to comment on the Draft EIR for the Coyote Valley Specific Plan with respect to the Greenbelt, and more specifically the potential for the Greenbelt to provide mitigation for the loss of agricultural lands and other purposes. Our comments are directed to improvements and stronger language that we believe are necessary if the Greenbelt is to succeed in these roles.

Sincerely,

A handwritten signature in cursive script that reads "Trixie Johnson". The signature is written in black ink and is positioned above the printed name.

Trixie Johnson

Notes

1. Draft EIR for the Coyote Valley Specific Plan Project, San José, California. Volume I, pp. 110-111.
2. Ibid. p. 115.